



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,049	07/31/2003	Linda Benhase	TUC920020093US1	3583
46917 7590 09/18/2007 KONRAD RAYNES & VICTOR, LLP. ATTN: IBM37 315 SOUTH BEVERLY DRIVE, SUITE 210 BEVERLY HILLS, CA 90212			EXAMINER BRUCKART, BENJAMIN R	
			ART UNIT 2155	PAPER NUMBER
			MAIL DATE 09/18/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

mn

Interview Summary	Application No.	Applicant(s)	
	10/633,049	BENHASE ET AL.	
	Examiner	Art Unit	
	Benjamin R. Bruckart	2155	

All participants (applicant, applicant's representative, PTO personnel):

(1) Benjamin R. Bruckart. (3)_____

(2) Janaki K. Davda, Reg. No. 40,684. (4)_____

Date of Interview: 13 September 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.
If Yes, brief description: _____

Claim(s) discussed: 1,5,9 and 10.

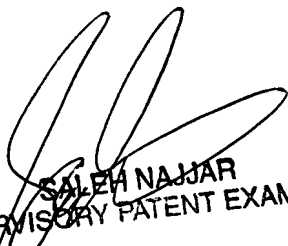
Identification of prior art discussed: Sreenivasan and Watt.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant and Examiner discussed the proposed claim amendments and the finer details distinguishing the amended claims from the prior art of record. The examiner agreed that domain data and the pairing information was further detailing and clear as to how the first and second pairs would act in redundancy. The examiner thanks applicant for a timely phone call and detailed explanation behind the claim amendments and differences from the prior art.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Brez
Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner.
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	L. BENHASE et al.	Examiner	Benjamin R. Bruckart
Serial No.	10/633,049	Group Art Unit	2155
Filed	July 31, 2003	Docket No.	TUC920020093US1
TITLE	METHOD, SYSTEM, AND PROGRAM FOR DUAL AGENT PROCESSES AND DUAL ACTIVE SERVER PROCESSES		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted by email to Benjamin R. Bruckart of the U.S. Patent and Trademark Office on September 12, 2007.

/Janaki K. Davda/

Janaki K. Davda Reg. No. 40,684

INFORMAL/DRAFT COMMUNICATION -
DO NOT ENTER INTO PROSECUTION RECORD:
PROPOSED AGENDA FOR INTERVIEW

Dear Sir:

This agenda is being submitted prior to a telephone interview.

The tentative participants are Examiner Bruckart and Janaki K. Davda.

The proposed date of Interview is Thursday, September 13, 2007. The proposed time is 5:00 p.m. (EST).

A telephone interview is requested.

No exhibit will be shown.

Applicants would like to discuss proposed claim amendments to claim 1 and claims 5, 9, 10, and 22.

Proposed Claim Amendments

1. (Currently Amended) A system, comprising:

at least two active server processes, including a first server process and a second server process, adapted to perform tasks issued by a browser, wherein the first server process and the second server process are each on a cluster configured to be a domain server, wherein the first server process and the second server process are not on a same cluster, wherein the first server process and the second server process each have a list of agent processes within a domain that are registered with that server process, and wherein the first server process and the second server process each forward each task issued by the browser to that server process to an agent to perform that task;

a server system comprising two clusters, wherein each of the two clusters is aware of the first server process and the second server process;

wherein each of the two clusters includes:

a first agent process at the cluster that is registered with the first server process to notify the first server process that the first agent process exists to perform tasks for the first server process to complete the tasks issued by the browser, wherein the first agent process and the first server process form a first agent/server pair;

a second agent process at the cluster that is registered with the second server process to notify the second server process that the second agent process exists to perform tasks for the second server process to complete the tasks issued by the browser, wherein the second server process is different from the first server process with which the first agent process is registered, wherein the second agent process and the second server process form a second agent/server pair; and

wherein when one of the first agent/server pair ~~process~~ and the second agent/server pair ~~process~~ fails, the other of the first agent/server pair ~~process~~ and the second agent/server pair ~~process~~ continues processing in the cluster; and

~~wherein when one of the two clusters fails, the other one of the two clusters continues processing in the server system.~~

5. (Previously Presented) The system of claim 1, further comprising:

persistent data at each of the two clusters storing configuration and state information for one or more storage devices accessed by the cluster, wherein the configuration information includes how many storage devices are in the cluster, and wherein the state information includes an indication of whether each storage device is available or unavailable.

9. (Previously Presented) The system of claim 1, wherein the first agent process and the second agent process are launched at one of the two clusters and further comprising:

means for collecting configuration information, including how many storage devices are in the cluster, and state information, including whether each storage device is available or unavailable;

means for storing the configuration and state information as persistent data at the cluster; under control of the first agent process,

(i) means for retrieving stored configuration and state information; and

(ii) means for transmitting the retrieved configuration and state information to the first server process; and

under control of the second agent process,

(i) means for retrieving stored configuration and state information; and

(ii) means for transmitting the retrieved configuration and state information to the second server process.

10. (Currently Amended) The system of claim 1, wherein the first agent process and the second agent process are launched [[at]] at one of the two clusters, and further comprising:

means for receiving at least one of changed configuration information and changed state information for the cluster, wherein the configuration information includes how many storage devices are in the cluster, and wherein the state information includes an indication of whether each storage device is available or unavailable; and

means for storing the at least one of changed configuration information and changed state information as persistent data at the cluster;

means for broadcasting the at least one of changed configuration information and changed state information for the cluster; and

under control of the first agent process,

(i) means for retrieving the stored at least one of changed configuration information and state information; and

(ii) means for transmitting the retrieved at least one of changed configuration information and state information to the first server process; and

under control of the second agent process,

(i) means for retrieving the stored at least one of changed configuration information and state information; and

(ii) means for transmitting the retrieved at least one of changed configuration information and state information to the second server process.

Dated September 12, 2007

Serial No. 10/633,049
Docket No. TUC920020093US1
Firm No. 0022.0029

REMARKS/ARGUMENTS

Applicants would like to discuss proposed claim amendments to claim 1 and claims 5, 9, and 10 with reference to the 35 U.S.C. 103 citing U.S. Patent Publication No. 2002/0049845 by Sreenivasan et al and U.S. Patent Publication 2003/0126202 by Watt.

Dated: September 12, 2007

By: __/Janaki K. Davda/____

Janaki K. Davda
Registration No. 40,684

Please direct all correspondences to:

Janaki K. Davda
Konrad Raynes & Victor, LLP
315 South Beverly Drive, Ste. 210
Beverly Hills, CA 90212
Tel: (310) 553-7973
Fax: 310-556-7984